

## PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF ELECTION  
(PCT Rule 61.2)Date of mailing (day/month/year)  
12 April 2001 (12.04.01)To:  
Commissioner  
US Department of Commerce  
United States Patent and Trademark  
Office, PCT  
2011 South Clark Place Room  
CP2/5C24  
Arlington, VA 22202  
ETATS-UNIS D'AMERIQUE  
in its capacity as elected OfficeInternational application No.  
PCT/EP00/06292Applicant's or agent's file reference  
GT/W-21914/A/AC 524International filing date (day/month/year)  
05 July 2000 (05.07.00)Priority date (day/month/year)  
19 July 1999 (19.07.99)

Applicant

WEIR, Steven et al

1. The designated Office is hereby notified of its election made: in the demand filed with the International Preliminary Examining Authority on:

07 February 2001 (07.02.01)

 in a notice effecting later election filed with the International Bureau on:

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2. The election  was was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

Juan Cruz

Telephone No.: (41-22) 338.83.38

## INT'L COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>GT/W-21914/A/AC 524</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/EP 00/06292</b>	International filing date (day/month/year) <b>05/07/2000</b>	(Earliest) Priority Date (day/month/year) <b>19/07/1999</b>
Applicant <b>CIBA SPECIALTY CHEMICALS WATER TREATMENTS LIMITED</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 2 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

contained in the international application in written form.

filed together with the international application in computer readable form.

furnished subsequently to this Authority in written form.

furnished subsequently to this Authority in computer readable form.

the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2.  **Certain claims were found unsearchable** (See Box I).

3.  **Unity of Invention is lacking** (see Box II).

4. With regard to the **title**,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

as suggested by the applicant.

because the applicant failed to suggest a figure.

because this figure better characterizes the invention.

None of the figures.

# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/EP 00/06292

**A. CLASSIFICATION OF SUBJECT MATTER**  
IPC 7 C02F1/56

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 C02F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 95 33697 A (ALLIED COLLOIDS) 14 December 1995 (1995-12-14) page 14, line 18-25; claims 1-12 ----	
A	DE 30 20 685 A (ALBERT GUENTHER) 10 December 1981 (1981-12-10) claims 1-18 -----	

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

° Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
7 November 2000	14/11/2000
Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer  Fouquier, J-P

**INTERNATIONAL SEARCH REPORT**

Information on patent family members

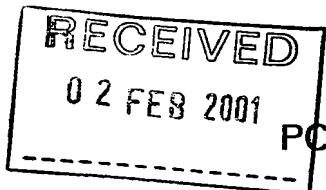
International Application No

PCT/EP 00/06292

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
WO 9533697	A 14-12-1995	AT 172700	T 15-11-1998	
		AU 2677795	A 04-01-1996	
		DE 69505665	D 03-12-1998	
		DE 69505665	T 25-03-1999	
		DK 764140	T 12-07-1999	
		EP 0764140	A 26-03-1997	
		ES 2124555	T 01-02-1999	
		US 5846433	A 08-12-1998	
		ZA 9504744	A 10-06-1996	
DE 3020685	A 10-12-1981	NONE		

JWP

## PATENT COOPERATION TREATY



1.	From the INTERNATIONAL BUREAU
2.	
3.	To:
4.	CIBA SPECIALTY CHEMICALS WATER TREATMENTS LIMITED Patents Dept. Cleckheaton Road Low Moor Bradford West Yorkshire BD12 0JZ ROYAUME-UNI

NOTICE INFORMING THE APPLICANT OF THE  
COMMUNICATION OF THE INTERNATIONAL  
APPLICATION TO THE DESIGNATED OFFICES

(PCT Rule 47.1(c), first sentence)

Date of mailing (day/month/year) 25 January 2001 (25.01.01)	IMPORTANT NOTICE	
Applicant's or agent's file reference GT/W-21914/A/AC 524		
International application No. PCT/EP00/06292	International filing date (day/month/year) 05 July 2000 (05.07.00)	Priority date (day/month/year) 19 July 1999 (19.07.99)
Applicant CIBA SPECIALTY CHEMICALS WATER TREATMENTS LIMITED et al		

1. Notice is hereby given that the International Bureau has communicated, as provided in Article 20, the international application to the following designated Offices on the date indicated above as the date of mailing of this Notice:  
AU,KP,KR,US

In accordance with Rule 47.1(c), third sentence, those Offices will accept the present Notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

2. The following designated Offices have waived the requirement for such a communication at this time:

AE,AL,AM,AP,AT,AZ,BA,BB,BG,BR,BY,CA,CH,CN,CR,CU,CZ,DE,DK,DM,EA,EE,EP,ES,FI,GB,GD,  
GE,GH,GM,HR,HU,ID,IL,IN,IS,JP,KE,KG,KZ,LC,LK,LR,LS,LT,LU,LV,MD,MG,MK,MN,MW,MX,NO,  
NZ,OA,PL,PT,RO,RU,SD,SE,SG,SI,SK,SL,TJ,TM,TR,TT,UA,UG,UZ,VN,YU,ZA,ZW

The communication will be made to those Offices only upon their request. Furthermore, those Offices do not require the applicant to furnish a copy of the international application (Rule 49.1(a-bis)).

3. Enclosed with this Notice is a copy of the international application as published by the International Bureau on  
25 January 2001 (25.01.01) under No. WO 01/05712

## REMINDER REGARDING CHAPTER II (Article 31(2)(a) and Rule 54.2)

If the applicant wishes to postpone entry into the national phase until 30 months (or later in some Offices) from the priority date, a demand for international preliminary examination must be filed with the competent International Preliminary Examining Authority before the expiration of 19 months from the priority date.

It is the applicant's sole responsibility to monitor the 19-month time limit.

Note that only an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II has the right to file a demand for international preliminary examination.

## REMINDER REGARDING ENTRY INTO THE NATIONAL PHASE (Article 22 or 39(1))

If the applicant wishes to proceed with the international application in the national phase, he must, within 20 months or 30 months, or later in some Offices, perform the acts referred to therein before each designated or elected Office.

For further important information on the time limits and acts to be performed for entering the national phase, see the Annex to Form PCT/IB/301 (Notification of Receipt of Record Copy) and Volume II of the PCT Applicant's Guide.

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Facsimile No. (41-22) 740.14.35

Authorized officer

J. Zahra

Telephone No. (41-22) 338.83.38

## PARENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>GT/W-21914/A/AC 524</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/EP 00/ 06292</b>	International filing date (day/month/year) <b>05/07/2000</b>	(Earliest) Priority Date (day/month/year) <b>19/07/1999</b>
Applicant <b>CIBA SPECIALTY CHEMICALS WATER TREATMENTS LIMITED</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 2 sheets.

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1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

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furnished subsequently to this Authority in written form.

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the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2.  Certain claims were found unsearchable (See Box I).

3.  Unity of Invention is lacking (see Box II).

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6. The figure of the drawings to be published with the abstract is Figure No.

as suggested by the applicant.

because the applicant failed to suggest a figure.

because this figure better characterizes the invention.

None of the figures.

## INTERNATIONAL SEARCH REPORT

International Application No  
PCT/EP 00/06292A. CLASSIFICATION OF SUBJECT MATTER  
IPC 7 C02F1/56

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C02F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 95 33697 A (ALLIED COLLOIDS) 14 December 1995 (1995-12-14) page 14, line 18-25; claims 1-12 ----	
A	DE 30 20 685 A (ALBERT GUENTHER) 10 December 1981 (1981-12-10) claims 1-18 -----	

 Further documents are listed in the continuation of box C. Patent family members are listed in annex.

## \* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the international search

7 November 2000

Date of mailing of the international search report

14/11/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Fouquier, J-P

## INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP 00/06292

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
WO 9533697	A 14-12-1995	AT 172700	T	15-11-1998
		AU 2677795	A	04-01-1996
		DE 69505665	D	03-12-1998
		DE 69505665	T	25-03-1999
		DK 764140	T	12-07-1999
		EP 0764140	A	26-03-1997
		ES 2124555	T	01-02-1999
		US 5846433	A	08-12-1998
		ZA 9504744	A	10-06-1996
DE 3020685	A 10-12-1981	NONE		

PATENT COOPERATION TREATY

PCT

REC'D 20 JUN 2001

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

14

Applicant's or agent's file reference 21914/A/AC 524	<b>FOR FURTHER ACTION</b>		See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/EP00/06292	International filing date (day/month/year) 05/07/2000	Priority date (day/month/year) 19/07/1999	
International Patent Classification (IPC) or national classification and IPC C02F1/56			
<p>Applicant CIBA SPECIALTY CHEMICALS WATER ... et al.</p>			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <li>I <input checked="" type="checkbox"/> Basis of the report</li> <li>II <input type="checkbox"/> Priority</li> <li>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</li> <li>IV <input type="checkbox"/> Lack of unity of invention</li> <li>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</li> <li>VI <input type="checkbox"/> Certain documents cited</li> <li>VII <input checked="" type="checkbox"/> Certain defects in the international application</li> <li>VIII <input checked="" type="checkbox"/> Certain observations on the international application</li> </ul>			

Date of submission of the demand 07/02/2001	Date of completion of this report 18.06.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Veronesi, S Telephone No. +49 89 2399 8348



**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/EP00/06292

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):  
**Description, pages:**

1-21 as originally filed

**Claims, No.:**

1-19 as originally filed

**Drawings, sheets:**

1/6-6/6 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form.
- furnished subsequently to this Authority in computer readable form.
- The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description,        pages:
- the claims,        Nos.:

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/EP00/06292

the drawings,      sheets:

5.  This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c));

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)      Yes: Claims 2-4,11-18  
                      No: Claims 1,5-10,19

Inventive step (IS)      Yes: Claims  
                      No: Claims 1-19

Industrial applicability (IA)      Yes: Claims 1-19  
                      No: Claims

### 2. Citations and explanations see separate sheet

## VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:  
see separate sheet

## VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:  
see separate sheet

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/EP00/06292

**Re Item V**

**Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. The passage in the description page 3, paragraph 3 and the examples of table 5 imply that the "substantially simultaneous" addition of the two polymer solutions to the suspension defined in the claims also comprises a sequential addition, i.e. first the dilute solution followed by a separate addition of the second polymer solution. A sequential addition of two aqueous polymer solutions having different polymer concentrations (i.e. one can be regarded as a dilute and the other as a concentrated polymer solution, in accordance with the description page 4, third paragraph) to aqueous suspension to be dewatered is known from WO 95 33697 A (ALLIED COLLOIDS) (cf claims and page 14, lines 18-25). Therefore, if the above mentioned statement in the description is used to interpret the claims, the process of claims 1, 5-10 and 19 is anticipated by D1.
2. The dependent claims do not appear to contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step.

**Re Item VII**

**Certain defects in the international application**

On page 16 it is stated that the results of table 14 are shown on figure 4. Figure 4 seems however to illustrate (at least partially) the results of table 5. The point of the curve of the sequential dosing at polymer dose 10 mg/l, which according to table 5 is 331 (ml), is however in Fig. 4 under 330.

**Re Item VIII**

**Certain observations on the international application**

A "sequential dosing" as described on table 5 contradicts at least verbally the "simultaneous" addition of the two polymer solution defined in the claims. This inconsistency between the claims and the description leads to doubt concerning the matter for which protection is sought, thereby rendering the claims unclear.